



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 180**

April 29, 2003 - Offered by Representative MUSSER.

1 **AN ACT** *to amend* 346.48 (2) (a) and 346.48 (2) (b) 2.; and *to create* 346.48 (2m)
2 of the statutes; **relating to:** school buses loading or unloading pupils or other
3 authorized passengers.

Analysis by the Legislative Reference Bureau

Current law generally requires the driver of a vehicle approaching a school bus that is stopped on a highway and that is displaying flashing red warning lights (warning lights) to stop the vehicle not less than 20 feet from the bus and to remain stopped until the bus resumes motion or the bus driver extinguishes the warning lights. Current law also requires, with certain exceptions, a school bus driver to activate warning lights at least 100 feet before stopping to load or unload pupils or other authorized passengers (passengers); the lights must remain activated until loading or unloading is completed and until any person who must cross the highway is safely across. Under one exception, the bus driver may not activate the warning lights when loading or unloading in a special loading area where the bus is entirely off the traveled portion of the highway. Under another exception, the bus driver may not activate the warning lights when loading or unloading in a residence or business district where a sidewalk and curb are laid on both sides of the road, unless there is no traffic signal where the loading or unloading occurs, the person being loaded or unloaded must cross the highway, and a local ordinance authorizes the use of warning lights under these circumstances. (However, if a curb and sidewalk are laid

on one side of the road only, the bus driver must activate the warning lights regardless of from which side a passenger loads.)

Under this substitute amendment, a school bus driver may not activate the warning lights when loading or unloading in a residence or business district, even if the bus is not entirely off the traveled portion of the highway and regardless of whether a curb and sidewalk are on one or both sides of the road, if all of the following conditions are met:

1. There is a sidewalk and curb on the side of the road where loading or unloading occurs.

2. The loading or unloading occurs immediately adjacent to the sidewalk and curb.

3. There is sufficient clearance on the roadway for other vehicles to pass at a safe distance to the left of the school bus.

4. No person must cross the highway before being loaded or after being unloaded.

(A bus driver may still activate the warning lights if there is no traffic signal where the loading or unloading occurs, the person being loaded or unloaded must cross the highway, and a local ordinance authorizes the use of warning lights under these circumstances.)

Under the substitute amendment, whenever a bus driver stops to load or unload passengers and does not activate the warning lights, the bus driver must activate the vehicular hazard lights (hazard lights). Other motorists need not stop for a school bus displaying hazard lights.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 346.48 (2) (a) of the statutes is amended to read:

2 346.48 (2) (a) Except as provided in par. (b), the operator of a school bus
3 equipped with flashing red warning lights as specified in s. 347.25 (2) shall actuate
4 such lights at least 100 feet before stopping to load or unload pupils or other
5 authorized passengers, and shall not extinguish such lights until loading or
6 unloading is completed and persons who must cross the highway are safely across.
7 ~~Where the curb and sidewalk are laid on one side of the road only, the operator shall~~
8 ~~use the flashing red warning lights when loading or unloading passengers from~~
9 ~~either side.~~

10 **SECTION 2.** 346.48 (2) (b) 2. of the statutes is amended to read:

